



An International Instrument on Conservation and Sustainable Use of Biodiversity in Marine Areas beyond National Jurisdiction

Exploring Different Elements to Consider

PAPER XII

International Procedures to Ensure Science-based Decision-making*

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1. Background

At the 2012 United Nations Conference on Sustainable Development (Rio+20), States committed themselves ‘to address, on an urgent basis, building on the work of the Ad Hoc Open-ended Informal Working Group and before the end of the sixty-ninth session of the General Assembly, the issue of the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, including by taking a decision on the development of an international instrument under the United Nations Convention on the Law of the Sea.’¹ This commitment was recalled and reaffirmed by the United Nations General Assembly (UNGA) in its 67th and 68th session.² In its resolution 68/70, the UNGA also requested the United Nations Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (UN Working Group) to make recommendations to the UNGA ‘on the scope, parameters and feasibility of an international instrument under the Convention’.³ These recommendations shall help to prepare for the decision to be taken at the 69th session of the UNGA in 2015, whether to start the negotiation of an international instrument on the conservation and sustainable use of biodiversity in areas beyond national jurisdiction (ABNJ).

The International Union for Conservation of Nature (IUCN) in collaboration with different partners has prepared a series of policy briefs to provide technical input to the ongoing ABNJ discussions, and thereby support the UNGA decision-making process. As indicated in **Paper I**, one of the issues to be discussed under ‘parameters’ could be the institutional mechanisms of a future international instrument. In this context, the following paper aims to explain the need for science-based decision-making and possible lessons that can be drawn from different international processes and their decision-making structures.

2. Rational

For the operationalization of a future international instrument for ABNJ under the United Nations Convention on the Law of the Sea (UNCLOS) the Contracting Parties will presumably need to discuss a number of implementation questions, take binding as well as non-binding decisions, launch coordination and integration processes, and undertake reviews and assessments. For example, standards, guidelines and criteria for environmental impact assessments (*see Paper VIII*), or the application of area-based management tools, such as the designation of marine protected areas (MPAs) and the design of MPA networks (*see Paper VI*) could be discussed and decided.

For these purposes, a science-based approach will be essential (*see Paper IV*). This means that decision-makers from the local to international levels should base their discussions and decisions upon scientifically credible and independent information that takes into account the complex relationships between biodiversity, ecosystem services, and the various ongoing and emerging activities in ABNJ. Such a science-based decision-making approach would be an important means to minimize the potential influence of non-science-based interests promoted by individual States or stakeholder groups.

¹ UNGA resolution 66/288. ‘The future we want.’ UN doc. A/RES/66/288, of 11 September 2012. Paragraph 162.

² UNGA resolution 67/78. ‘Oceans and the law of the sea.’ UN doc. A/RES/67/78, of 11 December 2012. Paragraph 181. UNGA resolution 68/70. ‘Oceans and the law of the sea.’ UN doc. A/RES/68/70, of 9 December 2013. Paragraph 197.

³ UNGA resolution 68/70. ‘Oceans and the law of the sea.’ UN doc. A/RES/68/70, of 9 December 2013. Paragraph 198.

The institutional framework of a future international instrument for ABNJ should reflect this situation. In essence, the exchange of information and dialogue on marine activities in ABNJ and related sciences will need to be strengthened between governments, the scientific community, and all other stakeholders. At the same time, the scientific community will need to understand the needs of decision-makers better in order to deliver relevant information in the appropriate form and at the right time. This could be achieved through a mechanism embedded in the institutional framework of the instrument and structured in a way that it is recognized by both the scientific and policy communities.

3. International Policy Processes and their Advisory Bodies

In order to inform different international policy processes, various intergovernmental scientific advisory bodies have already been created from which lessons can be drawn. These include the Intergovernmental Panel on Climate Change (IPCC), the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES), the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) to the Convention on Biological Diversity (CBD), or the World Heritage Committee (WHC) under the World Heritage Convention. The structures and procedures of these bodies could provide interesting ideas to create an institutional framework that supports informed, science-based decision-making in relation to conservation and sustainable use of biodiversity in ABNJ.

Furthermore, existing bodies and decision-making processes in the marine field could be explored in order to identify commonalities or even synergies. These include, amongst others, the UN Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, the Joint Group of Experts on the Scientific Aspects of Marine Environment Protection (GESAMP), and decision-making structures within the Intergovernmental Oceanographic Commission (IOC) as well as the International Seabed Authority (ISA). An overview of the different objectives, structures and procedures of these bodies is provided in Annex I of this paper.

Due to the complexity of the issues addressed, multilateral environmental agreements and international processes in general often establish separate multidisciplinary subsidiary bodies to provide recommendations to their Conferences of the Parties or discussions. Thus, in order to provide the necessary scientific and technical advice to the discussions and decision-making processes under a future international instrument for ABNJ, a subsidiary body could be established as part of the institutional framework. The role of such a body could be to

- Provide scientific assessments of the status of biological diversity in ABNJ, as well as potential impacts of existing or emerging policies, plans, programmes or activities;
- Prepare scientific assessments of the efficiency and effectiveness of different types of conservation/sustainable use measures taken under the international instrument (e.g. environmental impact assessments and area-based management tools);
- Respond to scientific questions that decision-makers might put to the body;
- Submit recommendations (e.g. on guidelines or harmonised standards for conservation/sustainable use); and
- Coordinate with the scientific bodies of regional and sectoral organisations.

4. Common Features

Comparing the various structures and procedures of intergovernmental scientific advisory bodies reveals several common practices despite their different sectoral applications, with respect to such areas as mitigation of and adaptation to climate change; conservation of biodiversity; protection of natural and cultural heritage; and regulation of mineral resource extraction. Commonalities of such intergovernmental scientific advisory bodies are both functional and procedural.

Functional similarities include:

- Assessment of scientific information relevant for policy-makers;
- Identification of knowledge gaps to instigate new research;
- Creation of linkages between diverse stakeholders; and
- Capacity-improvement to further the role of science in policy-making.

Procedural similarities include:

- Nomination and selection of independent experts that represent subject, geographical, and gender balance;
- Multiple drafts of documents subject to expert review;
- Decision-making by consensus;
- A mechanism to evaluate conflicts of interest; and
- Wide dissemination of results in a transparent, easily accessible manner.

All Contracting Parties are generally allowed to participate in the meetings of these subsidiary bodies. Additional support is often provided by governmental as well as nongovernmental organizations.

5. Assessment of Impact

Though assessing the impact of scientific advisory bodies on policy-making in general, and on the decisions of their parent organs specifically, can be a subjective process, some lessons can be drawn from previous experiences. Research indicates that scientific consensus within international assessment processes influences negotiations and may help create international environmental regimes. However, less attention has been paid to the impact of these processes on national policy-making, in particular, within developing countries.⁴ Biermann (2002) discusses how low participation of experts from developing countries, lack of research capacity, and prominence of socio-economic issues such as poverty render the scientific advice coming from intergovernmental scientific advisory bodies less relevant and influential in developing countries.⁵ He suggests a stronger focus on the socio-economic issues that influence global environmental change, including the specific vulnerabilities of developing countries; increasing the meaningful participation of experts from developing countries; and enhancing research capacity within developing countries.⁶

⁴ Biermann, B. (2002). *'Institutions for Scientific Advice: Global Environmental Assessments and Their Influence in Developing Countries.'* Global Governance 8. P. 196.

⁵ Ibid, P. 197.

⁶ Ibid, P. 213-214.

Another way to judge the political influence of these intergovernmental scientific advisory bodies is to evaluate their outcomes in light of their objectives. For example:

- Reactions to the IPCC Assessments range from approval to criticism for being either too conservative or too alarmist. Regardless, their conclusions greatly influence climate change policy from the local to international level, from the creation of the United Nations Framework Convention on Climate Change (1992) to the more recent focus on the need for location-specific climate adaptation strategies.
- A recent evaluation on the effectiveness of the SBSTTA found its objectives to provide scientific and technical assessments on the status of biological diversity and the effects and types of measures taken to implement the CBD fulfilled.⁷ The evaluation also found that SBSTTA plays a crucial role in identifying the scientific and technical needs of Parties to implement the Strategic Plan for Biodiversity (2011-2020) and the Aichi Biodiversity Targets.⁸
- As of 2013, the WHC, with the advice from the International Council of Monuments and Sites, the International Centre for the Study of the Preservation and Restoration of Cultural Property and IUCN, inscribed 759 cultural, 193 natural, and 29 mixed sites on the World Heritage List for which it has the final say. In addition, the WHC examines reports on the state of conservation of inscribed properties, asks States Parties to take action when properties are not being properly managed, and allocates financial assistance upon requests from States Parties.

6. Conclusion

As noted above, a subsidiary body focused on the provision of relevant scientific and technical advice could enhance the decision-making processes of a new international instrument for ABNJ. Efficient and effective processes and methods could be established to, among other things,

- Identify information needs;
- Collect accurate, reliable, and unbiased scientific information;
- Review, assess and critically evaluate such information; and
- Interpret and synthesize the information to advice on policy options.

Based on the examples of existing scientific advisory bodies, several conclusions may be drawn with regard to the objectives, structures, and procedures of a scientific advisory body under an international instrument for ABNJ:

- Scientific and other knowledge systems should 1) provide relevant and verifiable information for ABNJ discussions and decision-making processes from the local to global scale, 2) identify existing gaps in knowledge and/or capacities, and 3) inspire future research.
- Assessments of scientific and related knowledge should be interdisciplinary, relevant, credible, legitimate, transparent, and conducted by experts.
- Experts should be independent, act in their individual capacities, represent a diverse range of subject matter, and reflect geographical and gender balance.

⁷ Sixteenth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice to the Convention on Biological Diversity. *‘Ways and Means to Improve the Effectiveness of the Subsidiary Body on Scientific, Technical and Technological Advice.’* UNEP/CBD/SBSTTA/16/2, of May 2012. P. 1.

⁸ Ibid, P. 3.

- All assessments, reports, and similar work products should be subject to peer review by experts and stakeholders.
- The goal of review processes should be consensus; however, any uncertainties, controversial opinions, and gaps in knowledge and/or capacities must be acknowledged and addressed.
- Results should be policy-relevant rather than policy-prescriptive, and be widely disseminated in an understandable, easily accessible manner.

To render policy advice more relevant to developing countries, a stronger focus on the socio-economic issues that influence global environmental change would be useful. This includes addressing the specific vulnerabilities of developing countries; increasing the meaningful participation of experts from developing countries; and enhancing research capacity within developing countries.

Annex I: Overview of Different Scientific and Decision-making Bodies

Intergovernmental Panel on Climate Change (IPCC)

The role of the IPCC is to provide the world with a clear, scientific view on the current state of knowledge in climate change and its potential environmental and socio-economic impacts for adaptation and mitigation.

Structure

The IPCC aims to reflect a range of views and expertise via voluntary contributions from thousands of scientists all over the world. As an intergovernmental body, the IPCC is open to all UN Member States. The IPCC structure comprises a Plenary, a Bureau, and an Executive Committee; three Working Groups and one Task Force on different thematic issues with Technical Support Units; a Secretariat providing overall management support; as well as Authors, Contributors and Reviewers who are identified by governments, observer organizations, and the Working Group/Task Force to work on different IPCC reports. A Conflict of Interest Policy aims to '*protect the legitimacy, integrity, trust, and credibility*' of the IPCC and those involved in the preparation of its reports and activities through special attention to issues of independence and bias to ensure that IPCC reports are neutral yet relevant to policy.¹⁰

Procedures

The IPCC reviews and assesses the most recent scientific, technical and socio-economic information produced worldwide relevant to the understanding of climate change without conducting its own research or monitoring climate-related data or parameters. While reports should be neutral with respect to policy, they may need to deal objectively with scientific, technical and socio-economic factors relevant to the application of particular policies.¹¹ Reports and summaries are prepared based on all relevant and available scientific, technical and socio-economic information with priority given to peer-reviewed scientific, technical, and socio-economic literature. These reports and summaries go through a multi-stage review process by both experts and governments. Three levels of endorsement are foreseen: 'Approval' meaning that the material has been subjected to detailed line by line discussion and agreement (procedure used for the Summary for Policymakers of the Reports); 'adoption' meaning a process of endorsement section by section (used for the Synthesis Report and Overview Chapters of Methodology Reports); and 'acceptance' signifying that the material has not been subject to line by line nor section by section discussion and agreement, but nevertheless presents a comprehensive, objective and balanced view of the subject matter. The validity of a finding may be 'limited,' 'medium,' or 'robust,' given the type, amount, quality, and consistency of evidence.¹² The degree of agreement can be expressed as 'low,' 'medium,' or 'high.'¹³ Finally,

¹⁰ IPCC. (2011). '*Conflict of Interest Policy.*' IPCC Thirty-fourth Session, Kampala, Uganda, 18-19 November 2011. Appendix 1.3.

¹¹ IPCC. (1998). '*Principles Governing IPCC Work.*' Last amendment at the Thirty-Fifth Session, Geneva, 6-9 June 2012. Paragraphs 2-3.

¹² Mastrandrea, Michael D., et al. (2010). '*Guidance Note for Lead Authors of the IPCC Fifth Assessment Report on Consistent Treatment of Uncertainties.*' IPCC Cross-Working Group Meeting on Consistent Treatment of Uncertainties. Jasper Ridge, CA, USA, 6-7 July 2010. P. 2.

confidence can be qualified as 'very low,' 'low,' 'medium,' 'high' and 'very high' based on the author teams' judgments about the validity of findings.

Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES)

IPBES is an independent, intergovernmental body formed in April 2012 to strengthen the dialogue between the scientific community, governments, and other stakeholders for assessment of the state of the planet's biodiversity and ecosystem services.

Structure

Membership is open to all UN Member States. The IPBES Plenary is the decision-making body. A Multidisciplinary Expert Panel, a subsidiary body of the Plenary, provides scientific and technical advice on the IPBES programme of work; manages the peer-review process; engages the scientific community and other knowledge holders with the IPBES work programme; assures scientific and technical coordination among structures set up under the IPBES; and explores ways and means to bring different knowledge systems into the science-policy interface.¹⁴ The Plenary may also establish working groups necessary to implement any of the functions and operating principles of the IPBES work programme.¹⁵ IPBES management is further supported by a Secretariat that, for example, compiles and forwards information to the Panel and Bureau for review prior to the Plenary meeting at which they will be considered.

Procedures

The Panel and Bureau consider and prioritize all submitted requests, inputs and suggestions according to specific criteria (such as relevance, urgency, complexity), with high priority given to multiple Government and joint submissions. A prioritized list is submitted to the Plenary along with the recommendations for how they may be incorporated into the IPBES work programme.¹⁶ A scoping process precedes the Plenary decision whether to issue an Assessment, Synthesis, or Special Report. The scoping meeting participants include scientific, technical, and socio-cultural experts and representatives from relevant stakeholder and user groups that achieve geographical and gender balance.¹⁷ The decision to prepare a report is accompanied by agreement on its scope, outline, schedule, and budget. Preparation of an Assessment, Synthesis, or Special Report is conducted by an appropriate composition of coordinating and leading Authors, Reviewers, and Editors identified through the IPBES Secretariat, governments, and observer organizations. There are three stages of review for IPBES reports: expert review of all reports, government/expert review of all reports, and government review of Summaries for Policymakers and/or Synthesis Reports.¹⁸ A Working Group

¹³ Ibid.

¹⁴ United Nations Environment Programme. (2012). *Report of the second session of the plenary meeting to determine modalities and institutional arrangements for an intergovernmental science-policy platform on biodiversity and ecosystem services.* UNEP/IPBES.MI/2/9, Appendix I.III.B, C.

¹⁵ Ibid. Appendix I.III.D.

¹⁶ United Nations Environment Programme. (2013). *Procedure for receiving and prioritizing requests put to the Platform.* IPBES/1/5. Paragraphs 10-15.

¹⁷ United Nations Environment Programme. (2013). *Draft procedures for the preparation, review, acceptance, adoption, approval and publication of assessment reports and other Platform deliverables.* IPBES/1/INF/3. P. 5.

¹⁸ Ibid.

prepares a final draft report. Working Groups assess the full scientific, technical, and socio-cultural Assessment Reports, while the Plenary assesses Synthesis Reports written in a non-technical style for policymakers.¹⁹ After acceptance of a final draft report, all draft versions, review comments, and authors' responses are made publically available.²⁰ Finally, IPBES Workshops and Expert Meetings may be agreed upon in advance by a Working Group or Plenary to consider a cross-cutting or complex issue useful or necessary for completion of a work plan.

Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) to the Convention on Biological Diversity (CBD)

Article 25 of the CBD establishes the SBSTTA, an open-ended, intergovernmental scientific advisory body which provides the Conference of the Parties with timely advice relating to the implementation of the Convention.

Structure

The SBSTTA is multidisciplinary and open to competent, government representatives from States Parties to the CBD. The SBSTTA shall cooperate with relevant international, regional and national organizations, and encourage the contribution of non-governmental organizations in performing its functions. In addition to the SBSTTA, Ad Hoc Technical Expert Groups may be established by the CBD Conference of the Parties for limited duration to provide scientific and technical advice and assessments. These groups shall not exceed fifteen members who are nominated by Parties and should be competent in the relevant field of expertise and balanced with regard to gender, geographical representation, the special conditions of developing countries, and relevant organizations.²¹

Procedures

Scientific and technical assessments shall be regionally balanced and carried out in an objective and authoritative manner according to the following steps: recognition of assessment need/mandate from the Conference of the Parties; preparation of background document or note by the Executive Secretary; review of background document or note by the Executive Secretary, identification of gaps, and revision as necessary; peer review of selected reviewers, including Contracting Parties, other governments, SBSTTA focal points, experts nominated by Parties, organizations and indigenous and local communities and/or other conventions and their focal points; SBSTTA consideration and recommendation to the Conference of the Parties; use and application of results for relevant programmes of work and follow-up activities; dissemination and publication of assessment reports.²²

¹⁹ Ibid. P. 10.

²⁰ Ibid. P. 6.

²¹ Convention on Biological Diversity. COP Decision VIII/10. 'Operations of the Convention.' Annex III. Paragraph 18.

²² Ibid. Appendix C.

World Heritage Committee (WHC)

In cooperation with States Parties, the World Heritage Committee identifies cultural and natural properties of Outstanding Universal Value; examines the state of conservation of properties inscribed on the World Heritage List and whether to remove them; decides which properties to inscribe or remove from the List of World Heritage in Danger; and determines how the resources of the World Heritage Fund are to be advantageously used and increased.²³

Structure

The World Heritage Committee is composed of 21 members, each with a maximum term of six years who are discouraged from seeking consecutive terms. The membership, sessions, agenda, conduct of business, and voting rules, among other procedural topics, are delineated in the Committee's Rules of Procedure.²⁴ The Committee Secretariat, Advisory Bodies,²⁵ and other international and nongovernmental organizations with appropriate competence and expertise assist the Committee in carrying out its strategic objectives.

Procedures

The Committee meets at least once a year. Committee decisions are based on '*objective and scientific considerations*' using '*carefully prepared documentation; thorough and consistent procedures; evaluation by qualified experts; and if necessary, the use of expert referees.*'²⁶ In order to achieve a representative, balanced and credible World Heritage List, a Global Strategy was developed to encourage more countries to become States Parties to the World Heritage Convention, identify gaps in current Lists, and assist States Parties with nominations.²⁷ In addition, States Parties are requested to submit nominations in categories that are under-represented and to voluntarily space their nominations, while the Committee prioritizes nominations according to ten specific criteria.²⁸ If the Committee decides to inscribe a nomination on the World Heritage List, a Statement of Outstanding Universal Value is adopted, along with recommendations for the protection and management of the property.²⁹ Following inscription, the state of conservation of World Heritage properties is monitored through periodic reporting by States Parties and by the Secretariat, UNESCO, and the Advisory Bodies through reactive monitoring.³⁰

²³ United Nations Education, Scientific and Cultural Organization. (2013). '*Operational Guidelines for the Implementation of the World Heritage Convention.*' Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage. WHC.13/01. Paragraph 24.

²⁴ United Nations Educational, Scientific and Cultural Organization. (2013). '*Rules of Procedure.*' Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage. WHC-2013/5.

²⁵ The Advisory Bodies to the World Heritage Committee are the International Centre for the Study of the Conservation and Restoration of Cultural Property (ICCROM), International Council on Monuments and Sites (ICOMOS), and the International Union for the Conservation of Nature (IUCN).

²⁶ United Nations Education, Scientific and Cultural Organization. (2013). '*Operational Guidelines for the Implementation of the World Heritage Convention.*' Intergovernmental Committee for the Protection of the World Cultural and Natural Heritage. WHC.13/01. Paragraph 23.

²⁷ Ibid. Paragraphs 55-56.

²⁸ Ibid. Paragraphs 59, 61.

²⁹ Ibid. Paragraphs 155-156.

³⁰ Ibid. Paragraphs 169, 199.

United Nations Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

At the 2002 World Summit on Sustainable Development, States agreed to establish a *'regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socio-economic aspects, both current and foreseeable, building on existing regional assessments'* (Regular Process).³¹ The Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects (Ad Hoc WG of the Whole) was established by the UNGA in 2008 to make recommendations regarding the key features, institutional arrangements, financing, and other modalities for implementation of the Regular Process.³²

Structure

The Ad Hoc WG of the Whole is composed of UN Member States. A Bureau composed of 15 Member States (three from each regional group) implements decisions of the Ad Hoc WG of the Whole during intersessional periods. In 2010, the UNGA established a Group of Experts to assist in the preparation of the first global integrated marine assessment. The Group of Experts are nominated and appointed by States according to the following criteria: Internationally recognized expertise; demonstrated effective participation in international processes relevant to the marine environment or integrated assessment and other relevant areas, including socio-economic aspects; and ability to serve in an independent, individual capacity.³³ The UN Division for Ocean Affairs and the Law of the Sea and the UN Office of Legal Affairs provide secretarial support. The IOC, the FAO, and related UN agencies provide technical and scientific support.

Procedures

The purpose of the Regular Process is to produce the first global integrated marine assessment. The assessment will build upon existing ones from the IPCC, the Census of Marine Life, UN agencies, regional seas organizations, and regional fisheries management bodies. Each chapter of the assessment will have a Lead Member and Lead Drafter, nominated and chosen by UN Member States from the Group of Experts. The draft assessment will be subject to double review by UN Member States and independent peer reviewers. Workshops to advance the assessment, enhance the assessment capacity of States, and facilitate dialogue between the Group of Experts and States are an important part of the Regular Process.

³¹ United Nations. (2002). *'Plan of Implementation of the World Summit on Sustainable Development.'* Paragraph 36(b).

³² UNGA resolution 63/111. *'Oceans and the Law of the Sea.'* UN doc. A/RES/63/111, of 5 December 2008. Paragraph 157.

³³ *'Report on the work of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects.'* UN doc. A/66/189, of 27 July 2011. Annex I.

Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP)

GESAMP, established in 1969, is jointly sponsored by nine United Nations organizations³⁴ as an advisory body on the scientific aspects of marine environmental protection.

Structure

GESAMP's structure consists of 25-30 experts from a wide range of disciplines relevant to marine environmental protection who act in an independent and individual capacity and not as representatives of their home institutions, governments, or associations. Experts must be willing to serve on a *pro bono* basis and declare any current or potential conflicts of interests. Governments, intergovernmental and regional organizations, scientific bodies, international NGOs, and other groups may nominate experts and propose and/or sponsor GESAMP projects.³⁵ Studies and assessments are carried out by working groups who are not sitting members of GESAMP. Both experts and working group members are selected for geographical and gender balance. The GESAMP Executive Committee includes the Technical and Administrative Secretaries of each sponsoring UN organization, the Chairperson, and Vice-Chairperson of GESAMP, and is responsible for the oversight of GESAMP activities, budget, and work plan.

Procedures

GESAMP mission and functions include: *'integrate and synthesize the results of regional and thematic assessments and scientific studies to support global assessments of the marine environment;'* *'provide scientific and technical guidance on the design and execution of marine environmental assessments;'* *'provide scientific reviews, analyses, and advice on specific topics relevant to the condition of the marine environment, its investigation, protection, and/or management;'* *'provide an overview of the marine environmental monitoring, assessment, and related activities of UN agencies and advise on how these activities might be improved and better integrated and coordinated;'* *'identify new and emerging issues regarding the degradation of the marine environment that are of relevance to governments and sponsoring organizations.'*³⁶ GESAMP's marine environmental assessment follows a three-step process: definition of the nature, scope, and structure of the assessment; execution of the assessment as an essentially scientific exercise independent of political influence; policy review and analysis through interaction with governments and other relevant bodies.³⁷ To ensure the relevance of GESAMP's advice, user groups such as scientists, environmental management practitioners, and policy-makers are engaged in the design, execution, and peer review of GESAMP projects.³⁸

³⁴ The nine sponsoring organizations include the International Maritime Organization (IMO), Food and Agriculture Organization (FAO), UNESCO International Oceanographic Commission (IOC), World Meteorological Organization (WMO), International Atomic Energy Agency (IAEA), United Nations (UN), United Nations Development Programme (UNDP), United Nations Environment Programme (UNEP), and United Nations Industrial Development Organization (UNIDO).

³⁵ Administrative Secretary of GESAMP (IMO/FAO/UNESCO-IOC/WMO/WHO/IAEA/UN/UNEP) Joint Group of Experts on the Scientific Aspects of Marine Protection) 2005. *The new GESAMP: Science for Sustainable Oceans: A strategic vision for the IMO/FAO/UNESCO-IOC/WMO/WHO/IAEA/UN/UNEP Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection.* London, England, p. viii.

³⁶ Administrative Secretary of GESAMP. (2005). *'The new GESAMP: Science for Sustainable Oceans: A strategic vision for the IMO/FAO/UNESCO-IOC/WMO/WHO/IAEA/UN/UNEP Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection.'* London, England. P. vii-viii.

³⁷ Ibid. P. 10.

³⁸ Ibid. P. viii.

Intergovernmental Oceanographic Commission (IOC)

Objective

The IOC promotes international cooperation and coordination of marine research, services, observation systems, hazard mitigation, and capacity development in order to improve the governance, management, institutional capacity, and decision-making processes of Member States with respect to marine resources, climate variability and sustainable development of the marine environment.³⁹

Structure

The Assembly, Executive Council, and Secretariat are the governing bodies of the IOC and open to all UN Member States. IOC Member States designate representatives, alternates, and advisers for each session of the Assembly. IOC subsidiary bodies include Scientific and/or Technical Committees; Sub-commissions and Committees for a particular region; Task Teams; and Groups of Experts that act in their personal capacity and are selected for their knowledge and expertise on a particular subject.⁴⁰ Scientific and/or Technical Committees are intergovernmental and may be formed only by the Assembly.⁴¹ Regional sub-commissions and committees are intergovernmental and may be formed by the Assembly at the request of Member States in a particular region.⁴² Task Teams and Groups of Experts may be formed by the governing or subsidiary bodies to carry out specific tasks and undertake detailed scientific and technical studies.⁴³

Procedures

The main functions of the IOC are to *'recommend, promote, plan and coordinate international ocean and coastal area programmes in research and observations and the dissemination and use of their results;'* *'recommend, promote and coordinate the development of relevant standards, reference materials, guidelines and nomenclature;'* and *'make recommendations and coordinate programmes in education, training and assistance in marine science, ocean and coastal observations and the transfer of related technology[.]'*⁴⁴ In carrying out these functions, the IOC *'shall take into account the special needs and interests of developing countries, including in particular the need to further the capabilities of these countries in marine science and technology.'*⁴⁵ The IOC Ocean Science Sections (OSS) promote and coordinate scientific innovation and management; scientific services through guidelines and criteria for ecosystem management; outreach and education; and capacity-building through knowledge- and technology-transfers to developing countries and scientific communities. The IOC OSS integrates marine science and data into a number of international and regional programs to address climate change, ocean health, coastal research and management. For example, the Marine Spatial Planning Initiative helps countries implement marine spatial planning (MSP), documents MSP initiatives, analyses MSP good practices, collects and publishes references on MSP, and develops capacity and training for MSP.

³⁹ Intergovernmental Oceanographic Commission. (2000). *'Statutes.'* UNESCO, IOC/INF-1148. Art. 2.

⁴⁰ Intergovernmental Oceanographic Commission. (1989). *'IOC Manual.'* UNESCO, IOC/INF-785. P. 40.

⁴¹ Ibid. P. 42.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Intergovernmental Oceanographic Commission. (2000). *'Statutes.'* UNESCO, IOC/INF-1148. Art. 3.

⁴⁵ Intergovernmental Oceanographic Commission. (1989). *'IOC Manual.'* UNESCO, IOC/INF-785. P. 2.

International Seabed Authority (ISA)

The ISA was established under Part XI of the UNCLOS to organize and control exploration for, and exploitation of, mineral resources of the deep seabed beyond the limits of national jurisdiction.

Structure

The ISA structure includes an Assembly, Council, Secretariat, Finance Committee, Legal and Technical Commission, and Observer States. The Assembly includes all 165 States Parties to UNCLOS. The Council consists of 36 members elected by the Assembly according to specific criteria related to a nation's level of consumption of commodities made from mineral resources; investment in mineral extraction and preparation; imports and exports of mineral resources and products; and equitable geographical representation. Council members are elected for four years and encouraged to rotate membership.

Procedures

The Assembly has the following powers: elects members of the Council, Secretariat, and other ISA bodies; sets the two-year ISA budget; approves the rules, regulations and procedures of the ISA; examines reports from other bodies; makes decisions on the equitable sharing of financial and other economic benefits deriving from activities in the Area; provides compensation or other economic adjustments to developing countries whose export earnings from land-based mineral extraction are diminished by seabed production.⁴⁶ In general, Assembly decisions are made by consensus; alternatively, a simple majority of members present and voting applies to procedural decisions and two-thirds majority for substantive decisions.⁴⁷ The central responsibility of the Council is to promote and regulate exploration for and exploitation of deep-sea minerals by States, corporations, and other entities in the Area by drawing up terms of contracts and overseeing their implementation. Each Council member has one vote and decision-making should generally be made by consensus, defined as the absence of any formal objection.⁴⁸ Alternatively, a simple majority of members present and voting applies to procedural decisions and two-thirds majority for substantive decisions.⁴⁹ ISA members who are not Council members, observers, and international and nongovernmental organizations may participate in Council deliberations but may not vote.

⁴⁶ International Seabed Authority. Online, Members. Available at www.isa.org.jm/en/about/members.

⁴⁷ International Seabed Authority. (2012). *International Seabed Authority: Basic Texts, Second Edition. Operational Rules of the Organs of the International Seabed Authority.* International Seabed Authority, Kingston, Jamaica. Rule 61.

⁴⁸ Ibid. Rule 59.

⁴⁹ Ibid. Rule 56.

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